

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re: ) Chapter 11  
 )  
W.R. Grace & Co., et al., ) Case No. 01-01139 (JKF)  
 ) (Jointly Administered)  
 )  
Debtors. ) Objection Deadline: April 29, 2003  
 ) Hearing Date: TBD only if necessary

**SUMMARY OF THE FIFTH MONTHLY VERIFIED APPLICATION  
OF LUKINS & ANNIS, P.S. FOR COMPENSATION FOR SERVICES  
AND REIMBURSEMENT OF EXPENSES AS ZAI ADDITIONAL  
SPECIAL COUNSEL FOR THE INTERIM PERIOD FROM  
JANUARY 1, 2003 THROUGH JANUARY 31, 2003**

Name of Applicant: Lukins & Annis, P.S.  
Authorized to Provide Professional Services to: Zonolite Attic Insulation Claimants  
Date of Appointment: July 22, 2002  
Period for which compensation and  
Reimbursement is sought: January 1, 2003 through  
January 31, 2003  
Amount of Compensation sought as actual,  
Reasonable, and necessary: \$41,977.00  
Amount of Expenses Reimbursement: \$ 2,033.90  
This is a:  monthly  interim  final application  
Prior Application filed: Yes

Date Filed	Period Covered	Requested Fees	Requested Expenses	Status of Fees	Status of Expenses
11/15/02	7/21/02 through 9/30/02	\$37,691.00	\$3,422.38	Approved	Approved
12/05/02	10/01/02 through 10/31/02	\$24,143.00	\$728.96	No Objections served on counsel	No Objections served on counsel
02/10/2003	11/01/02 through 11/30/02	\$32,033.00	\$629.26	No Objections served on counsel	No Objections served on counsel
02/27/2003	12/01/02 through 12/31/02	\$32,330.00	\$1,262.74	No Objections served on counsel	No Objections served on counsel

This is the fifth Lukins & Annis application for monthly interim compensation of services filed with the Bankruptcy Court in this Chapter 11 case.

The total expended for the preparation of this application is approximately 6 hours, and the corresponding estimated compensation *that will be requested in a future application* is approximately \$565.00.

The Lukins & Annis attorneys who rendered professional services in these cases during the Fee Period are:

Name of Professional Person	Position with the applicant	Number of years as an attorney	Department	Hourly Billing Rate	Total billed hours	Total compensation
Darrell W. Scott	Partner	13	Litigation	\$370	74.50	\$21,941.00
Kelly E. Konkright	Associate	1	Litigation	\$120	42.50	\$4,692.00
<b>TOTALS</b>					117.00	\$26,633.00

The paraprofessionals who rendered professional service in these cases during the Fee Period are:

Name of Professional Person	Position with the applicant	Number of years in position	Department	Hourly Billing Rate	Total billed hours	Total compensation
Kristy L. Bergland	Paralegal	23	Litigation	\$150	64.80	\$9,720.00
<b>TOTALS</b>					64.80	\$9,720.00

#### Compensation by Project Category

Category	Total Hours	Total Fees
20-Travel-Non-working	6.8 Hours	\$ 408.00
22-ZAI Science Trial	175.0 Hours	\$41,569.00
<b>TOTALS</b>	<b>181.8 Hours</b>	<b>\$41,977.00</b>

## 23-ZAI Science Trial Expenses

Description	Amount
Computer Assisted Legal Research	\$ 7.78
Telephone Expense	\$ 601.82
Telephone Expense - Outside	\$ 485.00
Facsimile (\$1.00 per page)	\$ 49.87
Postage Expense	\$ 5.00
Courier & Express Carriers	\$ 326.55
In-House Duplicating / Printing (\$.15 per page)	\$ 113.05
Outside Duplicating / Printing (color photocopies for discovery responses)	
Lodging	
Transportation	
Air Travel Expense	\$ 110.88
Taxi Expense	\$ 9.45
Milcage Expense	
Travel Meals	
Parking	
General Expense	
Expert Services	\$ 300.00
Books/Videos	\$ 24.50
Other (Explain): facsimile reimbursement to Claimant Szufnarowski regarding Discovery Responses	
Total:	\$ 2,033.90

Dated: April 9, 2003

ELUZUFON AUSTON REARDON  
TARLOV & MONDELL, P.A./s/ William D. Sullivan

William D. Sullivan (No. 2820)  
 Charles J. Brown, III (No. 3368)  
 300 Delaware Avenue, Suite 1700  
 P.O. Box 1630  
 Wilmington, DE 19899  
 Phone: (302) 428-3181  
 FAX: (302) 777-7244

-and-

Darrell W. Scott, Esq.  
 Lukins & Annis, P.S.  
 717 W. Sprague Avenue, Suite 1600  
 Spokane, WA 99201  
 Phone: (509) 455-9555  
 FAX: (509) 747-2323  
 ADDITIONAL SPECIAL COUNSEL  
 FOR ZAI CLAIMANTS

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	)	Chapter 11
	)	
W.R. Grace & Co., <u>et al.</u> ,	)	Case No. 01-01139 (JKF)
	)	(Jointly Administered)
	)	
Debtors.	)	<b>Objection Deadline: April 29, 2003</b>
	)	<b>Hearing Date: TBD only if necessary</b>

**FEE DETAIL SUMMARY OF THE FIFTH MONTHLY VERIFIED  
APPLICATION OF LUKINS & ANNIS, P.S. FOR COMPENSATION  
FOR SERVICES AND REIMBURSEMENT OF EXPENSES AS ZAI  
ADDITIONAL SPECIAL COUNSEL FOR THE INTERIM PERIOD  
FROM JANUARY 1, 2003 THROUGH JANUARY 31, 2003**

**CERTIFICATE OF SERVICE**

I, William D. Sullivan, hereby certify that I caused a copy of the foregoing Fifth Monthly Verified Application of Lukins & Annis, P.S. for Compensation for Services and Reimbursement of Expenses as ZAI Additional Special Counsel for the Interim Period from January 1, 2003 through January 31, 2003 to be served upon those parties identified on the attached service list via hand delivery or US Mail.

I certify the foregoing to be true and correct under the penalty of perjury.

Dated: April 9, 2003

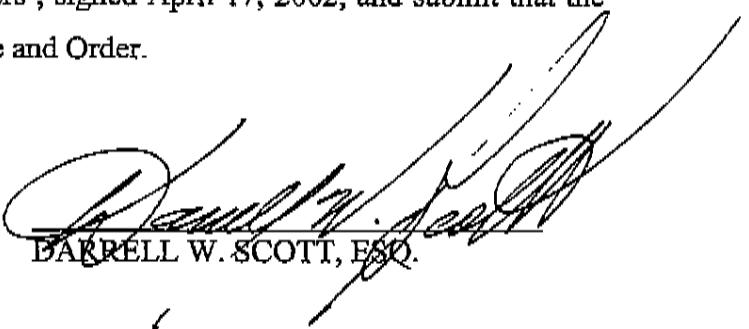
*/s/ William D. Sullivan*  
William D. Sullivan

VERIFICATION

STATE OF WASHINGTON )  
 )  
COUNTY OF SPOKANE )

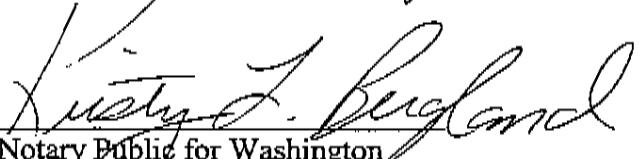
Darrell W. Scott, after being duly sworn according to law, deposes and says:

- a) I am counsel with the applicant law firm Lukins & Annis, P.S. and have been admitted to appear before this Court.
- b) I have personally performed many of the legal services rendered by Lukins & Annis, P.S. and am thoroughly familiar with the other work performed on behalf of the ZAI Claimants by the lawyers and paraprofessionals of Lukins & Annis, P.S.
- c) I have reviewed the foregoing application and the facts set forth therein are true and correct to the best of my knowledge, information and belief. Moreover, I have reviewed Del.Bankr.LR 2016-2 and the 'Amended Administrative Order Under 11 U.S.C. §§ 105(a) and 331 Establishing Revised Procedures for Interim Compensation and Reimbursement of Expenses for Professionals and Official Committee Members', signed April 17, 2002, and submit that the Application substantially complies with such Rule and Order.



DARRELL W. SCOTT, ESQ.

SWORN AND SUBSCRIBED  
Before me this 4 day of April, 2003.



KRISTY L. BERGLAND  
Notary Public for Washington  
Residing at Spokane  
My Commission Expires: 9-10-06



**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	)	Chapter 11
	)	
W.R. Grace & Co., <u>et al.</u> ,	)	Case No. 01-01139 (JKF)
	)	(Jointly Administered)
	)	
Debtors.	)	<b>Objection Deadline: April 27, 2003</b>
	)	<b>Hearing Date: TBD only if necessary</b>

**FEE DETAIL SUMMARY OF THE FIFTH MONTHLY VERIFIED  
APPLICATION OF LUKINS & ANNIS, P.S. FOR COMPENSATION  
FOR SERVICES AND REIMBURSEMENT OF EXPENSES AS ZAI  
ADDITIONAL SPECIAL COUNSEL FOR THE INTERIM PERIOD  
FROM JANUARY 1, 2003 THROUGH JANUARY 31, 2003**

**TIME REPORT**  
**Lukins & Annis, P.S.**  
**Time Period 01/01/2003 - 01/31/2003**

---

**CATEGORY 20: TRAVEL-Non-Working**

Date	Timekeeper	Description	Hours	Hourly Rate	Total
01/14/03	KEK	Travel to and from Libby, Montana for investigative work (billed at half rate).	6.80	\$ 60.00	408.00
			<b>SUBTOTAL</b>	<b>6.80</b>	<b>\$ 408.00</b>

**CATEGORY 22: ZAI SCIENCE TRIAL**

Date	Timekeeper	Description	Hours	Hourly Rate	Total
01/02/03	DWS	Review materials from Busch regarding answers to Grace's Requests for Production (.2); examine physical evidence and work on arrangements for preservation and testing (.5); conference with paralegal regarding same (.1); examine materials prepared regarding potential witnesses regarding Busch and answers to Grace's Second Interrogatories (.3); meeting with associate regarding review of photographic evidence regarding HUD home removal testing and identification of exhibits for Rob Turkewitz and Ed Westbrook (.5); meeting with associate regarding identification of and retention of additional ZAI samples (.3); review and revise answers to discovery requests directed at Barbanti including review of Barbanti property and testing records pertinent to Grace's Requests for Production (3.7).	5.60	\$ 370.00	\$ 2,072.00
01/02/03	KEK	Meeting with partner regarding pictures taken at HUD home during removal.	0.30	\$ 120.00	\$ 36.00
01/02/03	KLB	Review and update list of potential evidence bags from database that could be shipped to experts for testing (.5); search Summation database of transcripts and documents for claimants Barbanti and Busch and preparation of preliminary list of persons with knowledge in response to Debtor's Second Interrogatories (.5); review Ralph Busch documents responsive to First Requests for Production regarding those that are attorney work product (.4); office conference with partner regarding same	4.50	\$ 150.00	\$ 675.00

Date	Timekeeper	Description	Hours	Hourly Rate	Total
		(.1); research regarding potential experts relating to stigma property damage (1.0); review numerous articles and publications relating to issue and search for information on potential experts in area (1.0); prepare index of publications/articles (1.0).			
01/03/03	DWS	Meeting with expert consultant at evidence locker regarding preservation and transport of physical evidence (1.4); continued review of ZAI documents produced by Grace during first Boston inspection (2.5); survey image production of Grace regarding ZAI discovery requests (1.2); meeting with paralegal regarding Summation and coordination with Rob Turkewitz' review (.3); review and revise Busch answers to Interrogatorics (.8); review and revise Barbanti answers to Interrogatories (.8).	7.00	\$ 370.00	\$ 2,590.00
01/03/03	KLB	Update Chain of Custody Logs to reflect bags being shipped from storage unit to expert (.2); review and identify photographs responsive to Grace Document Requests (.7); prepare list of physical evidence in storage unit regarding Marco Barbanti (.8); review Summation database for documents responsive to Discovery Requests and update to database to attach images of key documents (1.0); work on document production (2.2); office conference with partner regarding status of same (.3); prepare update to comparison chart to reflect revisions to discovery responses and add information on claimants not previously on chart (1.5); revisions to discovery responses (.5).	7.20	\$ 150.00	\$ 1,080.00
01/04/03	DWS	Review and identify documents regarding production in Busch (2.0); review and identify documents regarding warning and republication of warnings (2.1).	4.10	\$ 370.00	\$ 1,517.00
01/05/03	DWS	Review and identify documents regarding production in Barbanti (1.0); revise Interrogatory answers regarding McMurchie, Price and Prebil (2.1).	3.10	\$ 370.00	\$ 1,147.00
01/06/03	DWS	Meeting with Marco Barbanti regarding document production, answers to Interrogatories, and investigation regarding additional ZAI	4.90	\$ 370.00	\$ 1,813.00

Date	Timekeeper	Description	Hours	Hourly Rate	Total
		properties (3.5); finalize draft of Barbanti answers to Requests for Production, Interrogatories, and Requests for Admission (.7); meeting with litigation team (Kristy L. Bergland and Kelly E. Konkright) regarding status of case assignments, coordination of work regarding discovery answers, and coordination of work regarding obtaining and preserving physical evidence (.7).			
01/06/03	KEK	Draft memorandum regarding investigative work in Libby, Montana (.2); call to Mr. Label regarding Mr. Harris' discovery responses (.5); received and reviewed Mr. Harris' discovery responses (.3); meeting with Darrell W. Scott and Kristy L. Bergland (.7).	1.70	\$ 120.00	\$ 204.00
01/06/03	KLB	Attend litigation strategy meeting with Darrell W. Scott and Kelly E. Konkright to discuss status of responses to Grace discovery requests, status of testing and shipment of additional bags for testing, and other research and work needed in preparation for ZAI Science Trial (.7); review Ralph Busch testimony and documents and update responses to First Discovery Requests directed to Ralph Busch and prepare list of potential persons with knowledge (regarding Grace's Second Discovery Requests) (1.6); review documents obtained from Allan McGarvey on Price and Prebil and revisions to discovery responses regarding same (1.2); instructions regarding bates numbering of documents to be produced (.2); Summation database search for potential additional documents to produce relating to government/news media warnings to homeowners in general (.8).	4.50	\$ 150.00	\$ 675.00
01/07/03	DWS	Continued work reviewing documents regarding production of documents as to all ZAI claimants (1.4); phone conference with Ralph Busch regarding revisions to answers to Grace discovery requests (.8); draft memorandum regarding same (.2); review additional Busch documents for potential production (1.2); revisions to Busch answers to Interrogatories and Requests for Production (.8); review and revise proposed discovery answers regarding Harris (.4); phone conference with co-counsel	5.20	\$ 370.00	\$ 1,924.00

Date	Timkeeper	Description	Hours	Hourly Rate	Total
		and ZAI counsel regarding discovery answers and case status matters (.4).			
01/07/03	DWS	Review video data regarding HUD home testing and removal (.4); phone conference with Allan McGarvey regarding answers to personal injury questions regarding ZAI claimant Price (.2); followup with consulting expert regarding test results (.2); followup with consulting expert regarding personal sample results (.2).	1.00	\$ 370.00	\$ 370.00
01/07/03	KEK	Phone calls to Mr. Label and Mr. Harris to get necessary information to complete the discovery responses (1.5); called individuals to determine if they have pre-1980 bags of ZAI they will allow us to retrieve (2.5).	4.00	\$ 120.00	\$ 480.00
01/07/03	KLB	Review of select news articles (from Grace notice rebuttal expert) and compare to "warning" articles already compiled for Responses to Grace Discovery Requests (.5); review of additional files and exhibits regarding warnings put out by government agencies on various internet sites relating to ZAI and pull documents responsive to Grace's Requests (1.0); Compile individual documents responsive to Grace Discovery Requests and instructions regarding marking and copying same (.5); Preparation of shell of privilege log if needed (.1); review changes to Ralph Busch Discovery Responses and revisions to same (1.8); review changes to Marco Barbanti Discovery Responses and revisions to same (1.8); emails to co-counsel attaching Barbanti and Busch responses for review (.3); compile set of Ralph Busch documents to produce (.5).	6.50	\$ 150.00	\$ 975.00
01/08/03	DWS	Final revisions to discovery answers of Lindholm and Szufnarowski (.4); prepare objections to discovery as to all ZAI claimants and revisions to same (.3); examination of Boston document production and MDL production regarding documents pertinent to discovery requests (.8); meeting with paralegal regarding ZAI document management issues, including priority imaging and archiving (.5); phone call to co-counsel regarding draft of discovery answers (.1); review Szufnarowski documents in preparation of production to Grace (.4); review	2.80	\$ 370.00	\$ 1,036.00

Date	Timekeeper	Description	Hours	Hourly Rate	Total
		video exhibit materials regarding potential production to Grace (.3).			
01/08/03	DWS	Phone conference with Rob Turkewitz regarding answers to discovery and case management issues (.5); meeting with paralegal regarding identification of additional documents regarding production to Grace (.4); communications with Busch regarding final answers to discovery (.3); meeting with associate regarding status of production regarding Boston ZAI claimants (.3).	1.50	\$ 370.00	\$ 555.00
01/08/03	DWS	Review and identify photographic documents regarding Prebil and Price for production to Grace (.1); meeting with paralegal regarding finalizing all discovery answers, bates numbers, obtaining of signature pages, and related matters (.1).	0.20	\$ 370.00	\$ 74.00
01/08/03	KEK	Call to Mr. Szufranowski regarding receipt of documents in response to debtor's discovery requests (.2); receipt and routing of documents (.2); call individuals to determine if they have pre-1980 bags of ZAI they will allow us to retrieve (1.0).	1.40	\$ 120.00	\$ 168.00
01/08/03	KLB	Review files and binders containing government web site information and news articles relating to ZAI/Libby and mark additional documents responsive to Grace's Discovery Requests (1.7); Review MDL and Price litigation files for any documents responsive to Requests (.8); Review videotapes (2) of news broadcast to see if warnings from government agencies are contained therein and update responses to include same (.5); Prepare general objections to discovery requests and instructions regarding updating all 10 claimant responses to incorporate same (4.5); Review photographs of the Price and Prebil homes regarding production of any photos responsive to Requests (.5); Final review of and revisions to all 10 claimant responses and specifically include references to MDL litigation where applicable and references to detailed response on government warnings through news media (3.0).	11.00	\$ 150.00	\$ 1,650.00
01/09/03	DWS	Final review and revisions of discovery answers	3.00	\$ 370.00	\$ 1,110.00

Date	Timekeeper	Description	Hours	Hourly Rate	Total
		to all ZAI claimants (1.8); final review of all document productions as to all ZAI claimants (.7); review and revise correspondence regarding transmittal and methods of service (.2); prepare list of potential witnesses (.2); phone call to co-counsel regarding same (.1).			
01/09/03	KEK	Called individuals with full bags of ZAI to determine if they will allow us to retrieve them for testing in preparation of ZAI Science trial.	0.50	\$ 120.00	\$ 60.00
01/09/03	KLB	Work on Finalization of Responses to Grace's First Discovery Requests including organize and incorporate additional "warning" documents and instructions regarding numbering same (1.6); compilation of documents to produce (1.0); review final responses (.3); instructions regarding service of discovery responses (.1).	3.00	\$ 150.00	\$ 450.00
01/09/03	KLB	Telephone call from co-counsel regarding responses to Grace Second Set of Interrogatories: (.2); compile and email list of names and addresses of individuals responsive to Grace's Second Interrogatories (.3).	0.50	\$ 150.00	\$ 75.00
01/10/03	DWS	Meeting with ZAI witnesses (4.0); phone call from Rob Turkewitz regarding completion of witness list (.2); draft letter to debtor regarding extension on second Interrogatory deadline (.1); meeting with paralegal regarding completion of answers to second Interrogatories regarding witnesses (.3); review witness database materials regarding potential witnesses and draft answers to second Interrogatories (1.0); phone call with EPA regarding status of ZAI warnings (.3); examine Boston depository exhibit CD's regarding ZAI exhibits (2.0).	7.90	\$ 370.00	\$ 2,923.00
01/10/03	KEK	Call individuals with full bags of ZAI to determine if they would allow us to retrieve them.	1.00	\$ 120.00	\$ 120.00
01/10/03	KLB	Draft letter to be sent to Claimants regarding signature of Discovery Responses (.3); Draft letter to be sent to Claimants being represented by counsel regarding signature pages (.3); revise Verification page to be	1.20	\$ 150.00	\$ 180.00

Date	Timekeeper	Description	Hours	Hourly Rate	Total
		unsworn statement and review court rule and statute concerning same (.5); instructions regarding duplication of Verification for all claimants (.1).			
01/10/03	KLB	Telephone calls from and to co-counsel's office regarding Responses to Grace's Second Interrogatories (.8); revisions to Second Interrogatories (1.0); draft letter to opposing counsel relating to extension (.2)	2.00	\$ 150.00	\$ 300.00
01/10/03	KLB	Review table summarizing information obtained from the Bureau of Mines on vermiculite production (.5); prepare revisions to table estimating Zonolite production (.3); begin preparation of analysis of potential numbers of homes affected by calculating bags used per home for various square footage attics (1.5).	2.30	\$ 150.00	\$ 345.00
01/11/03	DWS	Examine Boston depository documents pertaining to ZAI production and related matters.	4.10	\$ 370.00	\$ 1,517.00
01/11/03	KLB	Review various documents/images on CDs from Grace Production of Boston Repository searching for information dealing with Zonolite sales and/or production.	2.00	\$ 150.00	\$ 300.00
01/12/03	DWS	Continued review of CD exhibit materials regarding ZAI production and contamination.	7.50	\$ 370.00	\$ 2,775.00
01/12/03	KLB	Continue review of various documents/images on CDs from Grace Production of Boston Repository searching for information dealing with Zonolite sales and/or production.	4.00	\$ 150.00	\$ 600.00
01/13/03	DWS	Phone call from ZAI claimants regarding preservation of physical evidence (.2); phone call from ZAI claimants regarding preservation of packaging and physical evidence (.2); meeting with paralegal regarding evaluation of production data and supplying of exhibits to consultant (.4); review analyses regarding historical ZAI volumes and origins (.5); meeting with IT personnel regarding OCR'ing of imaged Grace production and trial document management issues (.7); final review for signature of witness list and answers to second discovery requests (.2); review factual memoranda regarding ZAI production and exhibits	2.60	\$ 370.00	\$ 962.00

Date	Timekeeper	Description	Hours	Hourly Rate	Total
		regarding same (.4).			
01/13/03	KEK	Call individuals with full bags of ZAI to determine if they will allow us to retrieve them (1.0); check HUD home to make sure heat was turned off and determine whether consulting expert had taken down containment set up (.2); arrange to have Mr. Harris sign a verification page to his discovery responses (.2).	1.40	\$ 120.00	\$ 168.00
01/13/03	KLB	Review and revise response to Grace's Second Interrogatories (.9); instructions regarding service of same (.1).	1.00	\$ 150.00	\$ 150.00
01/13/03	KLB	Continue review of various documents/images on CDs from Grace Production of Boston Repository searching for information dealing with Zonolite sales and/or production and review of documents obtained from the Bureau of Minues on vermiculite production (4.0); continue calculations of potential homes affected based on varying attic sizes (1.5).	5.50	\$ 150.00	\$ 825.00
01/14/03	DWS	Review factual memoranda regarding ZAI production and exhibits regarding same (.4); phone conference with ZAI counsel regarding case assignments (.3); phone call to Rob Turkewitz regarding completion of witness list and status of discovery (.4); phone call to co-counsel regarding case assignments (.2); draft letter to ZAI client regarding additional work regarding HUD home evaluation (.1); phone call to ZAI claimant regarding same (.1); phone conference with consulting expert regarding review of exhibit materials (.2).	1.70	\$ 370.00	\$ 629.00
01/14/03	KEK	Phone calls to consulting experts to arrange for the retrieval of ZAI bags from various individuals homes (1.2); discussions with secretary regarding same (.2); investigative work in Libby, Montana (1.0).	2.40	\$ 120.00	\$ 288.00
01/14/03	KLB	Review Bureau of Mincs Yearbooks and check figures on Memo regarding production of Zonolite and potential numbers of homes affected (2.5); run revised calculations bascd on reviscd production figure and emails regarding same (1.3).	3.80	\$ 150.00	\$ 570.00

Date	Timekeeper	Description	Hours	Hourly Rate	Total
01/15/03	DWS	Phone conference with Ed Westbrook and Rob Turkewitz regarding case status (.4); phone call from Ralph Busch regarding case status (.2); phone call from Rob Turkewitz regarding AD Little subpoena (.2); review correspondence from counsel for Altran regarding response to subpoena (.1); phone call to co-counsel regarding same (.1), draft memorandum regarding same (.1); phone conference with ZAI claimant regarding revisions to discovery answers (.2); conference with associate regarding revision to discovery answers and obtaining of additional exhibits regarding Lindholm (.4); phone call from consultant regarding assessment of documents (.3).	2.00	\$ 370.00	\$ 740.00
01/15/03	KEK	Call to Ed Mancher's office to get copy of Mr. Lindholm's and Mr. Szufnarowski's previous deposition testimony (.1); review Mr. Lindholm's discovery responses (.8); call to individuals regarding picking up ZAI bags (.2); call to consulting expert regarding cost of bag retrievals (.2).	1.30	\$ 120.00	\$ 156.00
01/16/03	DWS	Work regarding supplemental answers to Lindholm discovery answers (.2); review and respond to memorandum regarding data on historical ZAI sales and production (.3); communications regarding containment removal at HUD home (.2).	0.70	\$ 370.00	\$ 259.00
01/16/03	KEK	Review Mr. Lindholm's deposition testimony to find additional information to supplement his discovery responses (2.5); unlock HUD home for consulting expert to take down containment (.5); calls to individuals regarding ZAI bag retrieval (1.0).	4.00	\$ 120.00	\$ 480.00
01/16/03	KLB	Telephone calls from and to consulting expert regarding completion of tear-down of containment at former HUD home and discussion of air samples regarding same.	0.30	\$ 150.00	\$ 45.00
01/16/03	KLB	Review emails relating to vermiculite production memo (.2); Provide information to co-counsel relating to the Mineral Yearbooks, including which are located physically at the Bureau of Mines and where to potentially obtain older Yearbook data and key dates when Yearbooks begin providing additional data (.6).	0.80	\$ 150.00	\$ 120.00

Date	Timekeeper	Description	Hours	Hourly Rate	Total
01/17/03	DWS	Review communication from consulting expert regarding availability of test results.	0.20	\$ 370.00	\$ 74.00
01/17/03	KEK	Review Mr. Szufnarowski's deposition testimony (1.5); note additions to be made to Mr. Lindholm's and Mr. Szufnarowski's discovery requests (1.3); calls to coordinate ZAI bag retrieval (1.0).	3.80	\$ 120.00	\$ 456.00
01/17/03	KLB	Review possible discrepancies in testimony for claimants Lindholm and Szufnarowski.	0.50	\$ 150.00	\$ 75.00
01/20/03	KEK	Coordinate ZAI bag retrieval (1.5); make changes to Mr. Lindholm's and Mr. Szufnarowski's discovery requests to reflect additional information (2.5).	4.00	\$ 120.00	\$ 480.00
01/20/03	KLB	Consultation regarding supplementation of discovery responses for Szufnarowski and Lindholm and provide exemplar information.	0.30	\$ 150.00	\$ 45.00
01/21/03	DWS	Review testing materials supplied by consultant (.4); phone conference with ZAI counsel regarding case assignments, pending depositions, evaluation of Grace documents, and A.D. Little subpoena (.8); review for signature correspondence to and supplemental answers to Grace discovery requests (.3).	1.50	\$ 370.00	\$ 555.00
01/21/03	KEK	Meet consulting expert at evidence locker to store ZAI.	1.20	\$ 120.00	\$ 144.00
01/21/03	KEK	Coordinate with contractors to retrieve bags of ZAI.	0.80	\$ 120.00	\$ 96.00
01/21/03	KEK	Complete supplements to discovery responses of Mr. Lindholm and Mr. Szufnarowski (1.5); draft letter and attach page to send to them for review (.2).	1.70	\$ 120.00	\$ 204.00
01/21/03	KLB	Discussion with lead attorney regarding additional research and work needed in the area of obtaining older data on vermiculite production from Minerals Yearbooks.	0.20	\$ 150.00	\$ 30.00
01/22/03	DWS	Meeting with Kristy L. Bergland and Kelly E. Konkright regarding research geological survey assignment and preservation of physical	1.70	\$ 370.00	\$ 629.00

Date	Timekeeper	Description	Hours	Hourly Rate	Total
		evidence issues (.4); review additional testing results from consultant (.2); conference with paralegal regarding OCR'ing and review of Boston depository ZAI documents (.3); phone call from consultant regarding ZAI asbestos identification (.3); review selected exhibits regarding ZAI sales and distribution (.5).			
01/22/03	KEK	Arrange retrieval of ZAI bags.	2.70	\$ 120.00	\$ 324.00
01/22/03	KEK	Meeting with Darrell W. Scott and Kristy L. Bergland on science trial and discovery issues.	0.40	\$ 120.00	\$ 48.00
01/22/03	KLB	Meet with partner regarding documents produced on CDs and potential OCR'ing of same and additional production information needed (.3); meet with Darrell W. Scott and Kelly E. Konkright on science trial issues, including production of documents, discovery issues and physical evidence (.4); telephone call from homeowner with ZAI and discuss status of claims in bankruptcy and science trial issues (.6).	1.30	\$ 150.00	\$ 195.00
01/23/03	DWS	Meeting with associate regarding preservation of evidence issues (.1); review objections to fee and cost accounting (.1); meeting with paralegal regarding resolution of objections (.3).	0.50	\$ 370.00	\$ 185.00
01/23/03	DWS	Review correspondence from Ed Westbrook regarding discovery issues.	0.20	\$ 370.00	\$ 74.00
01/23/03	KEK	Phone calls with various contractors regarding ZAI bag retrieval (.9); phone call with co-counsel regarding retrieving a ZAI bag (.3).	1.20	\$ 120.00	\$ 144.00
01/24/03	KEK	Phone calls with various contractors regarding ZAI bag retrieval.	1.30	\$ 120.00	\$ 156.00
01/27/03	DWS	Continued review of Boston depository materials regarding production and distribution of ZAI (1.1); review and revise response to inquiries regarding fee and cost request (.5); phone conference with paralegal regarding same (.3).	1.90	\$ 370.00	\$ 703.00
01/27/03	KEK	Phone calls regarding retrieval of ZAI bags.	0.50	\$ 120.00	\$ 60.00
01/27/03	KLB	Telephone call to Auditor to discuss Initial Report and clarify what information is needed to respond to same (.2); Prepare Response to	1.20	\$ 150.00	\$ 180.00

Date	Timekeeper	Description	Hours	Hourly Rate	Total
		Auditor's Initial Report and fax same to Darrell W. Scott for his review (1.0).			
01/28/03	DWS	Phone conference with Rob Turkewitz regarding case assignments (.4); phone conference with Rob Turkewitz and consultant regarding test results and interpretation (.6); review ZAI exhibits sent by Rob Turkewitz (.5).	1.50	\$ 370.00	\$ 555.00
01/29/03	DWS	Review, analyze, and organize potential photographic exhibits regarding ZAI claimants, pathways of exposure, and remodeling activities (1.9); prepare test documents for transmission to Rob Turkewitz (.2).	2.10	\$ 370.00	\$ 777.00
01/29/03	KLB	Telephone call from co-counsel regarding documents needed for expert inspections of additional homes in preparation for Science Trial (.2); review Claimant Lindholm documents and emails regarding testing documents (.3); Preparation of master spreadsheet for use in charting statistics when reviewing U.S. Geological Survey library for older minerals yearbooks (.5).	1.00	\$ 150.00	\$ 150.00
01/31/03	KEK	Call regarding retrieval of ZAI bags.	0.10	\$ 120.00	\$ 12.00
01/31/03	KLB	Email from and to Claimant Ralph Busch regarding update on status of case/Science Trial.	0.20	\$ 150.00	\$ 30.00
<b>SUBTOTAL</b>				<b>\$ 41,569.00</b>	
<b>TIME TOTAL:</b>				<b>\$ 41,977.00</b>	

**COST REPORT**

Lukins &amp; Annis, P.S.

Time Period 01/01/2003 - 01/31/2003

<u>DATE</u>	<u>DESCRIPTION</u>	<u>CHARGE</u>
01/02/03	Photocopies	\$ 1.95
01/02/03	Photocopies	\$ 0.15
01/03/03	Long Distance Charges	\$ 1.01
01/03/03	Photocopies	\$ 3.00
01/06/03	Photocopies	\$ 47.55
01/06/03	Photocopies	\$ 1.35
01/06/03	Photocopies	\$ 0.60
01/06/03	Photocopies	\$ 1.80
01/07/03	Long Distance Charges	\$ 0.50
01/07/03	Long Distance Charges	\$ 0.50
01/07/03	Long Distance Charges	\$ 0.50
01/07/03	Long Distance Charges	\$ 0.25
01/07/03	Long Distance Charges	\$ 0.50
01/07/03	Photocopies	\$ 0.90
01/07/03	Photocopies	\$ 1.95
01/07/03	Photocopies	\$ 0.15
01/08/03	Long Distance Charges	\$ 0.50
01/08/03	Long Distance Charges	\$ 0.50
01/08/03	Long Distance Charges	\$ 0.50
01/08/03	Photocopies	\$ 1.65
01/08/03	Photocopies	\$ 13.50
01/08/03	Photocopies	\$ 0.60
01/08/03	Photocopies	\$ 0.90

<u>DATE</u>	<u>DESCRIPTION</u>	<u>CHARGE</u>
01/08/03	Photocopies	\$ 0.15
01/09/03	Long Distance Charges	\$ 1.01
01/09/03	Long Distance Charges	\$ 1.01
01/09/03	Long Distance Charges	\$ 0.50
01/09/03	Long Distance Charges	\$ 0.50
01/09/03	Photocopies	\$ 10.20
01/10/03	Photocopies	\$ 15.15
01/10/03	Photocopies	\$ 2.10
01/10/03	Photocopies	\$ 0.15
01/10/03	Photocopies	\$ 16.50
01/13/03	Photocopies	\$ 2.10
01/13/03	Photocopies	\$ 0.75
01/13/03	Photocopies	\$ 0.45
01/13/03	Photocopies	\$ 0.45
01/13/03	Photocopies	\$ 14.40
01/13/03	Photocopies	\$ 1.50
01/13/03	Photocopies	\$ 8.25
01/13/03	Photocopies	\$ 20.25
01/14/03	Postage	\$ 38.95
01/14/03	Postage	\$ 10.92
01/14/03	Photocopies	\$ 0.90
01/14/03	Photocopies	\$ 0.15
01/14/03	Photocopies	\$ 0.15
01/15/03	Photocopies	\$ 0.60
01/16/03	Photocopies	\$ 0.30

<u>DATE</u>	<u>DESCRIPTION</u>	<u>CHARGE</u>
01/16/03	Photocopies	\$ 0.15
01/16/03	Photocopies	\$ 0.15
01/16/03	Photocopies	\$ 0.45
01/14/03	Mileage - Kelly E. Konkright roundtrip to Libby, MT for investigative work	\$ 110.88
01/14/03	Meals - Kelly E. Konkright at 4Bs for investigative work in Libby, MT	\$ 9.45
01/17/03	Telecopier Service -- reimbursement to Claimant Szufnarowski regarding Discovery Responses	\$ 24.50
01/17/03	Photocopies	\$ 3.75
01/17/03	Photocopies	\$ 0.30
01/21/03	Photocopies	\$ 3.30
01/21/03	Photocopies	\$ 10.80
01/21/03	Photocopies	\$ 1.65
01/22/03	Photocopies	\$ 3.30
01/22/03	Photocopies	\$ 0.90
01/22/03	Photocopies	\$ 1.80
01/23/03	Photocopies	\$ 0.30
01/23/03	Photocopies	\$ 0.45
01/23/03	Photocopies	\$ 0.45
01/23/03	Photocopies	\$ 3.00
01/23/03	Photocopies	\$ 0.15
01/24/03	Telecopier Service - (8 pages) (01/24/03 is posting date)	\$ 8.00
01/24/03	Telecopier Service - (12 pages) (01/24/03 is posting date)	\$ 12.00
01/24/03	Telecopier Service - (4 pages)	\$ 4.00

<u>DATE</u>	<u>DESCRIPTION</u>	<u>CHARGE</u>
	(01/24/03 is posting date)	
01/24/03	Telecopier Service - faxing discovery responses of 10 Claimants to Debtors' Counsel, Reed Smith (01/24/03 is posting date)	\$ 193.00
01/24/03	Telecopier Service - faxing discovery responses of 10 Claimants to Debtors' Counsel, Kirkland Ellis (01/24/03 is posting date)	\$ 193.00
01/24/03	Telecopier Service - (1 page) (01/24/03 is posting date)	\$ 1.00
01/24/03	Telecopier Service - (2 pages) (01/24/03 is posting date)	\$ 2.00
01/24/03	Color Photocopies for Discovery Responses	\$ 86.70
01/24/03	Color Photocopies for Discovery Responses	\$ 15.30
01/24/03	Color Photocopies for Discovery Responses	\$ 4.25
01/24/03	Color Photocopies for Discovery Responses	\$ 6.80
01/24/03	Photocopies	\$ 0.30
01/24/03	Photocopies	\$ 22.20
01/24/03	Photocopies	\$ 11.25
01/27/03	Photocopies	\$ 0.45
01/27/03	Photocopies	\$ 0.15
01/28/03	Photocopies	\$ 0.15
01/28/03	Photocopies	\$ 9.00
01/28/03	Photocopies	\$ 0.30
01/28/03	Photocopies	\$ 1.20
01/29/03	Photocopies	\$ 5.25
01/29/03	Photocopies	\$ 32.85
01/29/03	Photocopies	\$ 29.40
01/29/03	Photocopies	\$ 0.60

<u>DATE</u>	<u>DESCRIPTION</u>	<u>CHARGE</u>
01/30/03	Video Services provided in connection with removal activities at HUD home	\$ 300.00
01/30/03	Conference Call 11/19/02 (posted 01/30/03)	\$ 188.95
01/30/03	Conference Call 11/22/02 (posted 01/30/03)	\$ 29.20
01/30/03	Conference Call 11/26/02 (posted 01/30/03)	\$ 25.65
01/30/03	Conference Call 12/03/02 (posted 01/30/03)	\$ 117.95
01/30/03	Conference Call 12/10/02 (posted 01/30/03)	\$ 240.07
01/30/03	Photocopies	\$ 1.65
01/30/03	Photocopies	\$ 0.60
01/30/03	Photocopies	\$ 0.15
01/30/03	Photocopies	\$ 0.15
01/30/03	Photocopies	\$ 1.05
01/30/03	Photocopies	\$ 0.90
01/31/03	Courier Service	\$ 5.00
01/31/03	Telecopier Service - (39 pages) (01/31/03 is posting date)	\$ 39.00
01/31/03	Telecopier Service - (2 pages) (01/31/03 is posting date)	\$ 2.00
01/31/03	Telecopier Service - (23 pages) (01/31/03 is posting date)	\$ 23.00
01/31/03	Telecopier Service - (6 pages) (01/31/03 is posting date)	\$ 6.00
01/31/03	Telecopier Service - (2 pages) (01/31/03 is posting date)	\$ 2.00
01/31/03	Photocopies	\$ 1.20
01/31/03	Photocopies	\$ 1.35
01/31/03	Photocopies	\$ 4.95
<b>Total</b>		<b>\$ 2,033.90</b>

**CERTIFICATE OF SERVICE**

I, William D. Sullivan, hereby certify that I caused a copy of the foregoing Fifth Monthly Verified Application of Lukins & Annis, P.S. for Compensation for Services and Reimbursement of Expenses as ZAI Additional Special Counsel for the Interim Period from January 1, 2003 through January 31, 2003 to be served upon those parties identified on the attached service list via hand delivery or US Mail.

I certify the foregoing to be true and correct under the penalty of perjury.

Dated: April 7, 2003

*/s/ William D. Sullivan*  
William D. Sullivan

SERVICE LIST

Laura Davis Jones, Esquire  
David Carickoff, Esquire  
Pachulski, Stang, Ziehl, Young & Jones  
19 North Market Street, 16th Floor  
Wilmington, DE 19899-8705

Hamid R. Rafatjoo, Esquire  
Pachulski, Stang, Ziehl, Young & Jones  
10100 Santa Monica Boulevard  
Los Angeles, CA 90067-4100

David M. Bernick, Esquire  
James Kapp, III, Esquire  
Kirkland & Ellis  
100 East Randolph Drive  
Chicago, IL 60601

David B. Seigel  
W.R. Grace and Co.  
7500 Grace Drive  
Columbia, MD 21044

Michael R. Lastowski, Esquire  
Duane Morris & Heckscher LLP  
1100 North Market Street, Suite 1200  
Wilmington, DE 19801-1246

Lewis Kruger, Esquire  
Stroock & Stroock & Lavan LLP  
180 Maiden Lane  
New York, NY 10038-4982

William S. Katchen, Esquire  
Duane, Morris & Heckscher LLP  
One Riverfront Plaza, 2<sup>nd</sup> Floor  
Newark, NJ 07102

J. Douglas Bacon, Esquire  
Latham & Watkins  
Sears Tower, Suite 5800  
Chicago, IL 60606

Steven M. Yoder, Esquire  
The Bayard Firm  
222 Delaware Avenue, Suite 900  
P.O. Box 25130  
Wilmington, DE 19899

Michael B. Joseph, Esquire  
Ferry & Joseph, P.A.  
824 Market Street, Suite 904  
P.O. Box 1351  
Wilmington, DE 19899

Scott L. Baena, Esquire  
Bilzin Sumberg Dunn Baena  
Price & Axelrod, LLP  
First Union Financial Center  
200 South Biscayne Boulevard, Suite 2500  
Miami, FL 33131

Matthew G. Zaleski, III, Esquire  
Campbell & Levine  
800 King Street, Suite 300  
Wilmington, DE 19801

Elihu Inselbuch, Esquire  
Rita Tobin, Esquire  
Caplin & Drysdale, Chartered  
399 Park Avenue, 27<sup>th</sup> Floor  
New York, NY 10022

Peter Van N. Lockwood, Esquire  
Julie W. Davis, Esquire  
Trevor W. Swett, III, Esquire  
Nathan D. Finch, Esquire  
Caplin & Drysdale, Chartered  
One Thomas Circle, N.W.  
Washington, DC 20005

SERVICE LIST

Teresa K.D. Currier, Esquire  
Leit, Rooney, Lieber & Schorling  
000 West Street, Suite 1410  
Wilmington, DE 19801

Philip Bentley, Esquire  
Kramer Levin Naftalis & Frankel LLP  
919 Third Avenue  
New York, NY 10022

Frank J. Perch, Esquire  
Office of the United States Trustee  
44 King Street, Room 2313  
Lockbox 35  
Wilmington, DE 19801

Mark D. Collins, Esquire  
Deborah E. Spivack, Esquire  
Richards, Layton & Finger, P.A.  
One Rodney Square  
P.O. Box 551  
Wilmington, DE 19899

James J. Restivo, Jr., Esquire  
Reed Smith LLP  
135 Sixth Avenue  
Pittsburgh, PA 15219-1886

William J.A. Sparks, Esquire  
W.R. Grace & Company  
919 N. Market, Suite 460  
Wilmington, DE 19899

Barren H. Smith  
Barren H. Smith and Associates  
20 Jackson Street  
20 Founders Square  
Dallas, TX 75202